

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
ANDERSON/GREENWOOD DIVISION

Mark Edward Hill,)	
)	
Petitioner,)	C/A No. 8:11-776-TMC
)	
v.)	OPINION & ORDER
)	
South Carolina; Warden Donald)	
Beckwith,)	
)	
Respondent.)	
)	

Mark Edward Hill a/k/a Yah Chanan Ali, an inmate proceeding *pro se*, has filed this action pursuant to 28 U.S.C. § 2241 for habeas relief. In accordance with 28 U.S.C. § 636(b) and Local Rule 73.02, D.S.C., all pre-trial proceedings were referred to a Magistrate Judge. On April 26, 2011, Magistrate Judge Jacquelyn D. Austin issued a Report and Recommendation ("Report") recommending that the court dismiss the Petition in the above-captioned case without prejudice and without issuance and service of process. The Magistrate Judge provided Petitioner a notice advising him of his right to file objections to the Report. (Dkt. # 15 at 9). On May 9, 2011, Petitioner filed objections to the Magistrate Judge's Report. (Dkt. # 21). This matter was assigned to the undersigned on October 14, 2011.

The court is charged with making a *de novo* determination of those portions of the Report to which specific objection is made and the court may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge, or recommit the matter to the Magistrate Judge with instructions. 28 U.S.C. § 636(b)(1). The district court is obligated to conduct a *de novo* review of every portion of the Magistrate Judge's report to which objections have been filed. *Id.* The district court need not conduct a *de novo* review when a party makes only general and conclusory objections that do not

direct the court to a specific error in the Magistrate Judge's proposed findings and recommendations. *Orpiano v. Johnson*, 687 F.2d 44, 47-48 (4th Cir.1982). The Report sets forth in detail the relevant facts and standards of law on this matter, and the court incorporates such without a recitation.

The court has carefully reviewed Petitioner's objections and finds that his objections are non-specific, unrelated to the dispositive portions of the Magistrate Judge's Report, or merely restate his claims. Petitioner asks the court to consider numerous citations to cases and merely reiterates the arguments he made in his Petition. The Magistrate Judge has already conducted an analysis of these arguments, and Petitioner fails to specifically argue where the Magistrate Judge erred in that analysis. A party's general, non-specific objection is insufficient to challenge findings by a Magistrate Judge. 28 U.S.C.A. § 636(b)(1). In the absence of specific objections, this Court need not explain its reasons for adopting the recommendation.

After a thorough review of the Report and the record in this case pursuant to the standard set forth above, the Court finds Plaintiff's objections are without merit. Accordingly, the court adopts the Report and incorporates it herein. It is therefore **ORDERED** that Petition in the above-captioned case is **DISMISSED** without prejudice and without issuance and service of process.

IT IS SO ORDERED.

s/Timothy M. Cain
United States District Judge

January 11, 2012
Greenville, South Carolina

The attention of the parties is invited to the notice on the following page.

NOTICE OF RIGHT TO APPEAL

The parties are hereby notified of the right to appeal this order pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.